

JOE WARDY  
MAYOR



## ***CITY COUNCIL***

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

### **PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS MARCH 30, 2004 9:00 A.M.**

#### **ROLL CALL**

Invocation – Reverend Billy R. Williams  
Pledge of Allegiance

#### **REGULAR AGENDA**

1. Discussion and action regarding the City's do nothing attitude toward the widespread corruption and abuse at the Police Department and the three Courts of Inquiry now pending. [Theresa Caballero, Stuart Leeds, Hollebeke Family]

#### **MAYOR'S PROCLAMATIONS**

1. ***UTEP Heritage Month***
2. ***Month of the Child***
3. ***Youth Alcohol Awareness Month***
4. ***Niños de Chalco Day***

#### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may however, reconsider any item at any time during the meeting.

#### **CONSENT AGENDA**

2. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for two Special City Council Meetings of March 22, 2004 (Building Permits and Inspections and City Manager); and Regular City Council Meeting of March 23, 2004.

3. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**4. RESOLUTIONS:**

- 4A.** That the Mayor be authorized to sign the following grant application on behalf of the Arts and Culture Department, for submission to the National Endowment for the Arts (NEA) and to sign the related contracts and documents should funds be granted, either in the requested amounts or at such lesser amounts as may be approved by the NEA. This grant will be used for the FY 2005 Discovery Dance Series February 4<sup>th</sup> to 19<sup>th</sup> 2005. The grant request is as follows:

To request and receive \$20,000 towards artistic fees for the 2005 Discovery Dance Series February 4<sup>th</sup> to 19<sup>th</sup> for FY 2005. No new matching funds are required. **(All Districts)** [Arts and Culture, Judy Emmons, (915) 541-4280]

- 4B.** That the Mayor, on behalf of the City of El Paso, be authorized to sign the attached Release of Lien on the property (Legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this condemnation lien:

	<u>Lien Amount</u>	<u>Interest</u>	<u>Total Paid</u>
5406 Joe Herrera Drive	\$3,966.77	\$165.38	\$4,132.15

**(District 4)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 4C.** That the City Council hereby rescinds its action of February 3, 2004 to hold a public hearing to determine if the property located at 10301 Dyer Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. Delinquent taxes in the amount of \$18,245.02. **(District 4)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 4D.** That the City Attorney be authorized to sign a First Amendment to the Fee Arrangement/Professional Services Letter of Engagement by and between the City of El Paso and Delgado, Acosta, Braden & Jones, P.C. to continue providing professional legal services to develop and complete an Employee Handbook for the City of El Paso at a cap of an additional \$5,000.00 for a total of \$10,000.00.  
[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

- 4E.** That the Mayor be authorized to sign Contracts between the **CITY OF EL PASO** and the following individuals to provide sign language interpreting services for City related matters on an as needed basis, which may include, but not limited to, Municipal Court, Police Department matters and police emergencies, City Council meetings, and public hearings. The services may be required during normal work hours as well as after hours or weekends. The term of the contract shall be for the period of April 1, 2004 through March 31, 2005.  
[Community and Human Development, Nathalie M. Prise, (915) 541-4643]

1. LIZA ENRIQUEZ
2. MARY L. MOONEY

- 4F.** That the Mayor be authorized to sign Contracts between the **CITY OF EL PASO** and the following individuals to provide sign language interpreting services for City related matters on an as needed basis, primarily for public hearings and City/County Health Department matters. The services may be required during normal work hours as well as after hours or weekends. The term of the contract shall be for the period of April 1, 2004 through March 31, 2005.  
[Community and Human Development, Nathalie M. Prise, (915) 541-4643]
1. ROSA ARZOLA
  2. ESTHER SALDAÑA
- 4G.** That the Mayor be authorized to sign a Grant Agreement between the City of El Paso and AdEdge, L.L.C., in the amount of \$100,280.00 in Empowerment Zone/Enterprise Community Social Service Block Grant (EZ/EC SSBG) funds for the purpose of providing General Equivalency Development (GED) Certification Preparation and Computer Skills Instruction, under the federally designated Enterprise Community (EC) GED/ Computer Training Initiative for the period of March 30, 2004 to December 31, 2004. **(Districts 2, 3, 4, 6, and 7)**  
[Community and Human Development, Thomas Serrano, (915) 541-4642]
- 4H.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **KIMBERLY MCCARDEN**, to assist the Museum of Art as a Museum Development Assistant at an hourly rate of \$13.82 for 40 hours per week. The term of the contract shall be for the period of March 31, 2004 through March 30, 2005. [El Paso Museum of Art, Becky Duval-Reese, (915) 532-1707]
- 4I.** Authorizing the Mayor to sign an instrument granting an overhead easement to the El Paso Electric Company for the purpose of providing electrical service to property in northeast El Paso located close to the Texas/New Mexico border between Martin Luther King Jr., Blvd. and McCombs Street north of Stan Roberts Sr. Avenue in a portion of Section 2, Block 81, Township 1, Texas and Pacific Railway Surveys, El Paso County, Texas. **(District 4)**  
[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]
- 4J.** A Joint Use Resolution of the City of El Paso, Texas and the El Paso Water Utilities Public Service Board to provide that an existing city drainage easement be used for drainage and water and sewer service for Pleasant Hills Subdivisions Four and Eight being part of Block 4, Pleasant Hills Subdivision Four, El Paso, El Paso County, Texas, between Pleasant Sand Drive and Pleasant Hills Drive, south of Patriot Freeway. **(District 4)**  
[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]
- 4K.** That the Mayor be authorized to sign a **Memorandum of Understanding** by and between the **CITY OF EL PASO** and **EL PASO WATER UTILITIES PUBLIC SERVICE BOARD** for clarifying the mutual responsibilities and duties pertaining to the design and installation of water and sanitary sewer services at the Animal Shelter facility. [Engineering Department, Irene Ramirez, (915) 541-4431]

- 4L.** That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the Animal Shelter Facility, located at 5001 Fred Wilson, El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. One (1) 500 KVA transformer will be installed to service the electrical load. [Engineering Department, Irene Ramirez, (915) 541-4431]
- 4M.** That the Mayor be authorized to sign an Agreement by and between THE CITY OF EL PASO, a municipal corporation situated in El Paso County, Texas, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area, hereinafter referred to as "CITY, and THE REGENTS OF NEW MEXICO STATE UNIVERSITY, hereinafter referred to as "NMSU", wherein NMSU will conduct Network Development and Integration Activities for the El Paso Metropolitan Planning Organization 2030 Travel Demand and Land Use Models.  
[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]
- 4N.** That the Mayor be authorized to accept, on behalf of the El Paso Museum of Archeology at Wilderness Park, a grant in the amount of \$5,000.00 from The Summerlee Foundation and to sign any related contracts or other documents. The funds are granted for the purchase and installation of a display case for the Museum. No matching funds from the City are required.  
[Museum of Archaeology at Wilderness Park, Dr. Marc Thompson, (915) 755-4332]
- 4O.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.  
[Parks & Recreation Department, William R. Torgerson, (915) 541-4331]

**ACOSTA SPORTS CENTER****DEPARTMENT ID: 51010215, ACCOUNT 502215**

- |    |              |  |
|----|--------------|--|
| 1. | CONTRACTOR:  | George Heredia, Umpire                 |
|    | DATES:       | March 31, 2004 through August 31, 2004 |
|    | RATE PER CL: | \$16.00                                |
|    | MAXIMUM AMT: | \$8,000                                |
|    | CONTRACT:    | <b>2003/2004-114</b>                   |
| 2. | CONTRACTOR:  | George Heredia, Field Supervisor       |
|    | DATES:       | March 31, 2004 through August 31, 2004 |
|    | RATE PER CL: | \$11.00                                |
|    | MAXIMUM AMT: | \$3,300.00                             |
|    | CONTRACT:    | <b>2003/2004-115</b>                   |
| 3. | CONTRACTOR:  | Javier Aguinaga, Scorekeeper           |
|    | DATES:       | March 31, 2004 through August 31, 2004 |
|    | RATE PER CL: | \$8.00                                 |
|    | MAXIMUM AMT: | \$2,200.00                             |
|    | CONTRACT:    | <b>2003/2004-116</b>                   |

- 4P.** That the Mayor be authorized to sign an application on behalf of the City's Parks and Recreation Department to Baseball Tomorrow Fund ("BTF") for a grant in the amount of \$118,000 to cover a portion of the costs of shade canopies at various athletic facilities of the Parks & Recreation Department and that the Mayor be authorized to sign any required contracts and related documents accepting a grant for such amount or for any lesser amount approved by BTF. Matching funds in the amount of \$37,900 from Parks fund balance, \$55,540 from the 2000 Park Sports Bond, and \$13,000 in donations from private parties will be required. [Parks & Recreation Department, William R. Torgerson, (915) 541-4331]
- 4Q.** That the Mayor be authorized to sign, on behalf of the Parks and Recreation Department, an Agreement with the Parents Association for Recreation for Kids, Inc., providing co-sponsorship by the Parks and Recreation Department for the fundraising event, to be held on Sunday, April 25, 2004, for the purpose of raising funds to cover costs associated with the design and purchase of playground equipment to be installed at White Spur Park. No user fee shall apply to this co-sponsored event. [Parks & Recreation Department, William R. Torgerson, (915) 541-4331]
- 4R.** That the El Paso City Council supports the grant application of the City of Sunland Park, New Mexico for a 2004 Recreational Trails Program application from the State of New Mexico for \$240,000 to develop approximately seven miles of trail. There is no cost to the City of El Paso, Texas. **(All Districts)**  
[Planning, Research & Development Department, Rosemary Staley, (915) 541-4024]
- 4S.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARIA E. RIVERA** to assist the Police Department as a Crisis Response Team Case Manager at an hourly rate of \$12.50 for 40 hours per week. The term of the contract shall be for the period of March 31, 2004 through June 30, 2004. [Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4T.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ARACELI SALCEDO**, to assist the Police Department as a Multi-Agency Referral System (MARS) Coordinator at a biweekly rate of \$1,105.29 for 40 hours per week. The term of the contract shall be for the period of April 3, 2004 through August 31, 2004.  
[Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4U.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ESTHER S. MATA** to assist the Police Department as a Multi-Agency Referral System (MARS) Coordinator at a biweekly rate of \$1,105.29 for 40 hours per week. The term of the contract shall be for the period of April 3, 2004 through August 31, 2004.  
[Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4V.** That the Mayor be authorized to accept donations from various business, civic organizations and citizens of money, items to assist with community clean-up projects and sealed refreshments for volunteers for Pride Day on November 6, 2004; that the Chief of Police or his designee compile a list of all contributions; and that the City Council finds a public purpose in the distribution of any donated refreshments to volunteers working with community clean-up projects on Pride Day. [Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]

- 4W.** That the Mayor be authorized to sign an Amendment to the Agreement by and between the City of El Paso and the Upper Rio Grande Workforce Development Board, Inc., in conjunction with a grant from the United States Department of Labor, to reduce the number of police officers assigned to the grant project from two to one as of September 1, 2003 and to revise the amount of the agreement and the list of objectives and project budget accordingly.  
[Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4X.** That the Mayor be authorized to sign an Agreement between the City of El Paso and Comcorp to work in conjunction with the El Paso Police Department to develop short television presentations regarding different traffic laws to be called rules of the road spots and to permit Comcorp to acquire corporate sponsors or sell advertising in connection with the presentation of the rules of the road spots on its television station, KTSM.  
[Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4Y.** That the Mayor be authorized to sign and submit a request for the extension of the award period to the U.S. Department of Justice, Office of Community Oriented Policing Services, to extend the award ending date to October 1, 2005 for the COPS More '98 Grant, #1999CLWX0259; to extend the award ending date for Supplement I of this grant to October 1, 2006; and to sign and submit other requests for deadline extensions for this grant as may become necessary.  
[Police Department, Interim Deputy Chief Paul Cross, (915) 564-7039]
- 4Z.** That the Mayor be authorized to sign release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:  
[Solid Waste Management, Emma Acosta, (915) 621-6719]

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
4660/4664 Caples Circle (District 2)	\$1,057.07	\$1,041.53	\$2,09.60
810 Pine Place (District 3)	\$143.97	\$ 16.31	\$160.28
8000 Stanford Court (District 7)	\$323.67	\$229.92	\$553.59
8019 Stanford Court (District 7)	\$154.16	\$167.30	\$321.46

- 4AA.** That the City Council of the City of El Paso approved the participation by the Department of Solid Waste Management in the Eighth Annual Dia de los Niños: Dia de los Libros (Children's Day: Book Day) parade to be held Saturday, April 24, 2004, by providing a Solid Waste Management vehicle to escort the Recycling Mascot, Captain Can-A-Roo. **(District 3)**  
[Solid Waste Management, Emma Acosta, (915) 621-6719]

- 4BB.** That the Mayor be authorized to sign an Agreement with BROWN AND CALDWELL to provide Two (2) 23 Gallon Containers for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(District 8)** [Solid Waste Management, Emma Acosta, (915) 621-6719]
- 4CC.** That the Mayor be authorized to sign an Agreement with VERDE GROUP, LLC to provide One (1) 32 Gallon Container for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(District 8)** [Solid Waste Management, Emma Acosta, (915) 621-6719]
- 4DD.** That the Mayor and City Council be authorized to approve a policy regarding the acceptance and use of donations from the community collected through the efforts of the Mayor's Ad Hoc Green Sweep Committee.  
[Street Department, Daryl W. Cole, (915) 621-6750]
- 4EE.** That the Five Year Plan submitted by the El Paso Zoological Society is hereby approved and adopted by City Council as the framework for promotion and support by the Society of the programs and operation of the El Paso Zoo for the 2004 to 2009 time frame. [Zoo, William R. Torgerson, (915) 521-1855]
- 5.** Notice to set a public hearing to be held on April 20<sup>th</sup>, 2004 to determine if the property located at 148-150 N. Brown Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 2002. The owner of record as of March 10<sup>th</sup>, 2004, Carlos Escobedo, 10540 Kendall Street, El Paso, Texas 79924, has been notified of the violations at this property. Delinquent taxes in the amount of \$1,645.89. **(District 8)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 6.** Notice to set a public hearing to be held on April 27<sup>th</sup>, 2004 to determine if the property located at 378 S. Santa Fe Street AKA 115 W. Paisano Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 26<sup>th</sup>, 2003. The owner of record as of January 13<sup>th</sup>, 2004, Anid, Inc., 2120 Myrtle Avenue, El Paso, Texas 79901, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 7.** Notice to set a public hearing to be held on April 27<sup>th</sup>, 2004 to determine if the property located at 3008 Barkarian Place in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated November 12<sup>th</sup>, 2003. The owners of record as of March 3<sup>rd</sup>, 2004, Antonio & Sylvia Legaspi, 10837 Bella Vista Drive, El Paso, Texas 79935, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 5)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 8.** Notice to set a public hearing to be held on April 27<sup>th</sup>, 2004 to determine if the property located at 10301 Dyer Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 27<sup>th</sup>, 2003. The owner of record as of November 26<sup>th</sup>, 2003, Dr. Luis R. Marioni, 3734 King Palm Drive, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$18,245.02. **(District 4)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

9. Request that the street improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications. **(District 5)**

Subdivision: Tierra Del Este Unit Fifteen  
 Owner/Developer: Ranchos Real VI, LTD.  
 Consultant: Conde Engineering

Street Improvements:

Tierra Fresno Drive - from the south property line of Tierra Encino Drive to the end of cul-de-sac

Tierra Cuervo Drive - from the east property line of Tierra Fresno Drive to the west property line of Tierra Cortez Avenue

Tierra Agave Drive - from the northeast subdivision boundary line to the north property line of Tierra Encino Drive, and from the south property line of Tierra Encino Drive to the north property line of Tierra Cuervo Drive

Tierra China Court - from the east property line of Tierra Agave Drive to the southwest subdivision boundary line

Pebble Hills Boulevard - from the northwest subdivision boundary line to the west property line of Tierra Cortez Avenue, and from the east property line of Tierra Cortez Avenue to the southwest subdivision boundary line

Tierra Cortez Avenue - from the northeast subdivision boundary line to the north property line of Tierra Nogal Drive, and from the south property line of Tierra Nogal Drive to the end of cul-de-sac

Tierra Nogal Drive - from the northeast subdivision boundary line to the west property line of Tierra Fresno Drive, and from the east property line of Tierra Fresno Drive to the end of cul-de-sac

Tierra Encino Drive - from the northeast subdivision boundary line to the southeast subdivision boundary line

Drainage Improvements:

Surface Drainage  
 [Engineering Department, Bashar Abugalyon, (915) 541-4157]

10. Request that the street and drainage improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications. **(District 5)**

Subdivision: Tierra Del Este Unit Three, Phase II  
 Owner/Developer: Ranchos Real V., LTD.  
 Consultant: CONDE Inc.



Street Improvements:

Pebble Hills Boulevard - from the southeast subdivision boundary line to the east property line of Tierra Este Road, and from the west property line of Tierra Este Road to the northwest subdivision boundary line

Drainage Improvements:

Pebble Hills Boulevard - 1-4 Grate Drop Inlet Type I; 1-3 Grate Drop Inlet Type I; and 80.24 ft. of 24" R.C.P. [Engineering Department, Bashar Abugalyon, (915) 541-4157]

**11. STAFFING TABLE CHANGE:**

**LEGAL**

Add	2.00	Legal File Clerk	GS06
Delete	2.00	Clerical Assistant	GS06

[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

**12. BOARD RE-APPOINTMENT:**

Lorraine Huit to the El Paso Public Arts Commission by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]

**13. BOARD APPOINTMENTS:**

**13A.** Dr. Kathleen A. Staudt to the Community Advisory Panel for the City Manager Hiring Process by Representative Vivian Rojas, District 7.  
[Representative Vivian Rojas, (915) 541-4108]

**13B.** Rebecca Salcido to the Ethics Review Commission by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

**14. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]

**14A.** Global Crossing North America Ntwks in the amount of \$21,982.61, overpayment of 2003 taxes. (PID #2000-999-2869-0030)

**14B.** Fairbanks Capital c/o Lereta Corporation in the amount of \$4,970.11, overpayment of 2003 taxes. (PID #C340-999-0090-3700)

**14C.** Land American Texas OneStop, Inc. in the amount of \$3,023.02, overpayment of 2003 taxes. (PID #C340-999-0780-2900)

**14D.** Fidelity National Title in the amount of \$4,998.61, overpayment of 2003 taxes. (PID #C340-999-1450-1500)

**14E.** Eric Riley, in the amount of \$8,566.71, overpayment of 2003 taxes. (PID #C801-999-0260-0700)

**14F.** William Whitfield & Charlotte Whitfield in the amount of \$14,513.94, overpayment of 2002 taxes. (PID #C875-999-0010-1900)

**14G.** Wells Fargo Home Mortgage in the amount of \$2,583.96, overpayment of 2003 taxes. (PID #E075-000-0020-2100)

**14H.** ABN Amro Mortgage Group, Inc. in the amount of \$2,779.56, overpayment of 2003 taxes. (PID #E222-999-1170-1900)

- 14I.** Stewart Title in the amount of \$3,097.04, overpayment of 2004 taxes.  
(PID #M576-999-0190-0900)
  - 14J.** Robert V. Falvey in the amount of \$13,645.45, overpayment of 2003 taxes.  
(PID #S533-000-0120-08G1)
  - 14K.** Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,566.98,  
overpayment of 2003 taxes. (PID #S804-999-0310-6400)
  - 14L.** Wells Fargo Real Estate Tax Services, LLC in the amount of \$2,751.46,  
overpayment of 2003 taxes. (PID #S812-999-0240-0400)
  - 14M.** Wells Fargo Home Mortgage in the amount of \$3,243.95, overpayment of 2003  
taxes. (PID #S812-999-0250-6100)
  - 14N.** Ruben & Antonia Rivas in the amount of \$2,566.64, overpayment of 2002 and  
2003 taxes. (PID #T240-999-000H-0100)
  - 14O.** Cristina Fonseca in the amount of \$7,579.64, overpayment of 2003 taxes.  
(PID #Y805-999-024B-1877)
- 15.** Request approval for the Director of Purchasing to exercise the City's option to extend Contract No. 2002-203 between the City of El Paso and BPSI, El Paso, Texas, to Furnish & Install Modular Furniture for the Department of Aviation (for two additional years) starting August 15, 2004, and ending, August 14, 2006.
- Department: Department of Aviation  
 Funds available: 62620028-PAP0004100  
 Funding source: Airport Capital Funds  
 Total amount: \$25,000.00 (Estimated annually)  
**District(s): 3**  
 [Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]
- 16.** Change Order No. Eight (Scope Change) to Funk & Company for " Renovation to City Hall Mechanical and Lighting" for an increased amount of \$ 110,000.00. The increase is needed to replace the existing actuators and fire sensors. (Contract No. 2003-008)  
 [Purchasing Department, Sue B. Powell, (915) 541-4522]
- 17.** Request that the Director of Purchasing is authorized to issue an emergency Purchase Order to Motorola Inc., in the amount of \$85,000.00 for Maintenance of 800MHZ Trunked Simulcast Radio System /800MHZ Conventional Fixed Equipment Maintenance.

The maintenance of this system is critical to insure the functionality of the needed public safety radio voice, data and automatic vehicle locator systems. The public safety departments require 24 hour a day/ 7 day a week response for of the maintenance and support of the Motorola 800 MHz Trunked Simulcast Radio System/800 MHz Conventional Fixed Equipment Maintenance.

Emergency procurements necessary to protect the public health or safety of the City's residents are exempt from the competitive bidding requirements of Chapter 252 of the Local Government Code.

The above mention maintenance is in the process of been awarded.  
 [Purchasing Department, Ray Heredia, (915) 541-4316]

**18. BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

**18A.** Bid No.: 2004-001 Security Guard Service El Paso Main Library  
and Library Branches  
Award to: Initial Security  
Houston, TX  
Item (s): All  
Amount: \$251,443.92 (estimated annually)  
  
Department: Municipal Services – Building Maintenance  
Funds available: 31010326-502212  
Funding source: General Funds, Security Contracts,  
Building Maintenance  
Total award: \$754,331.76  
**District (s): All**

Municipal Services, Maintenance Division, Library Department and Purchasing recommend award as indicated as this vendor has provided the Best Value Bid. This is a thirty-six (36) month contract with no option to extend the term of this contract. [Purchasing Department, Ray Heredia, (915) 541-4316]

**18B.** Bid No. 2004-089 Janitorial Services For The Friendly & Happiness  
Nutrition Centers  
Award to: Global Clean  
El Paso, Texas  
Item (s): 1 & 2  
Amount: \$20,279.70 (estimated annually)  
  
Department: Municipal Services, Building Maintenance  
Funds available: 31010326-01101-502206  
Funding source: General Funds,  
Janitorial Maintenance Service Contract  
Total award: \$60,839.10  
**District (s): 2 and 7**

Municipal Services Department and Purchasing recommend awards as indicated as this vendor has provided the Best Value Bid Procurement. This is a thirty-six (36) month contract with no option to extend the term of this contract. [Purchasing Department, Ray Heredia, (915) 541-4316]

**19. REQUEST FOR PROPOSAL:**

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

**19A.** Bid No.: 2004-088R 800MHZ Trunked Simulcast Radio System /  
800MHZ Conventional Fixed Equipment  
Maintenance

Award to: Motorola, Inc.  
Albuquerque, New Mexico  
Item (s): All  
Amount: \$1,498,893.76 / 28 Months  
  
Department: Public Safety Technology  
Funds available: Various  
Funding source: Various  
Total award: \$1,498,893.76 / 28 Months  
**District (s): All**

The review committee for the Award of 800mhz Trunked Simulcast Radio System /800mhz Conventional Fixed Equipment Maintenance for Public Safety Technology Department has met and reviewed the Sole responsive Proposal that was received. It is the recommendation of the committee to award the RFP to this firm. The proposal response addressed the scope and intent of the RFP.

This is a twenty-eight (28) month contract with five additional twelve (12) months options to extend the contract (one twelve-month option at a time) under the same terms and conditions.

Additionally, authorization is requested for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

It is further requested that the Mayor and staff be authorized to execute budget transfers for this award and project, as necessary.  
[Purchasing Department, Ray Heredia, (915) 541-4316]

**19B.** RFP No.: 2004-138R Executive Search Firm for City Manager  
Award to: The Mercer Group, Inc.  
Item (s): Dallas, Texas  
Amount: \$60,000.00  
  
Department: Mayor and Council  
Funds available: Non Departmental Budget  
Funding source: Non Departmental Budget  
Total award: \$60,000.00  
**District (s): All**

The Review Committee based on evaluation factors established for this RFP recommend award to The Mercer Group, Inc.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

Further it is requested that the Mayor and staff be authorized to execute budget transfers for this award and project, as necessary.  
[Purchasing Department, Byron Johnson, (915) 541-4308]

**20. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

**20A.** Bid No.: 2004-076 Magnetic Stripe Tickets  
(For Amano Ticket Dispensers)  
Award to: Southland Printing Co.  
El Paso, Texas  
Item (s): 1A and 1B  
Amount: \$10,128.00 (estimated annually)  
  
Department: Department of Aviation  
Funds available: 62620003-503121-40101  
Funding source: Airport Operating Fund  
Total award: \$10,128.00 (estimated annually)  
**District (s): 3**

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a twenty-four (24) month requirements-type Contract for Magnetic Stripe Tickets for the El Paso International Airport.

The Contract will officially begin at 12:01 AM, March 31, 2004.

[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

**20B.** Bid No.: 2004-079 Runway Rubber Removal &  
Friction Measurement Services  
Award to: Unicen Industries  
Bellevue, WA  
Item (s): 1  
Amount: \$65,000.00 (estimated annually)  
  
Department: Department of Aviation  
Funds available: 62620003-503121-40101  
Funding source: Airport Operating Fund  
Total award: \$65,000.00 (estimated annually)  
**District (s): 3**

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a twenty-four (24) month requirements-type Contract for Runway Rubber Removal & Friction Measurement Services for the El Paso International Airport.

Vendor offers the City the option of extending the term of the contract for twenty-four (24) additional months at the same unit prices, if the option is exercised within two (2) years from the date of award of the contract.

Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 AM, April 12, 2004.

[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

**20C.** Bid No. 2004-095 San Juan Parking Lots Improvements  
 Contractor: CH & JM Construction Inc.  
 El Paso, TX

Department: Parks and Recreation  
 Funds Available: 71000-71150069-G7127CD0020-07644-508027  
 Funding Source: Community Development  
 Items: Base Bid I \$68,512.00  
 Base Bid II \$31,338.00  
 Total Award: \$99,850.00  
**District (s): 3**

RECOMMENDATION:

The Departments of Purchasing, Engineering, and Parks & Recreation recommend the award of this contract to CH & JM Construction, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Jay Henson, (915) 541-4907]

**20D.** Bid No.: 2004-102 Suspension & Steering System & Related Products  
 Award to: Vendor 1: Main Auto Parts  
 El Paso, Texas  
 Item (s): Group I, all items  
 Amount: \$25,000.00 (estimated annually)

Vendor 2: Border International Trucks  
 El Paso, Texas  
 Item (s): Group II, all items  
 Amount: \$25,000.00 (estimated annually)

Department: Fleet Services  
 Funds available: 37370510-503121  
 Funding source: Fleet Service Internal Service Fund  
 Total award: \$150,000.00  
**District (s): All**

The Fleet Services and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 and #2 offer the city the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor #1 also offers the city a prompt payment discount of 20% ten days. This is a Requirements Type Contract with an initial term of Thirty-Six (36) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

**20E.** Bid No. 2004-104 Bearings & Seals & Related Parts  
Award to: Vendor 1: Main Auto Parts  
El Paso, Texas  
Item (s): Group I, all items  
Amount: \$20,000.00 (estimated annually)

Vendor 2: MHC Kenworth/Sterling/Ford  
El Paso, Texas  
Item (s): Group II, all items  
Amount: \$20,000.00 (estimated annually)

Department: Fleet Services  
Funds available: 37370510-503121  
Funding source: Fleet Service Internal Service Fund  
Total award: \$120,000.00  
**District (s): All**

The Fleet Services and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 and #2 offer the city the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor #1 also offers the city a prompt payment discount of 20% ten days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months. [Purchasing Department, Jesus M. Juarez, (915) 541-4317]

**21. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**21A. BT2004-519 COMMUNITY AND HUMAN DEVELOPMENT**

The El Paso Water District will lease land to us for access to this project. They require a specific type of survey, and this budget transfer makes monies available for that specific survey.

Decrease	\$13,500	from	71150069/G7129CD000107747/508027	Const
Increase	\$13,500	to	71150069/G7128CD006107760/508017	
	Surveys			
Increase	\$13,500	to	71150069/G7129CD000107747/507001	Intfd Trf
Increase	\$13,500	to	71150069/G7128CD006107760/407001	Intfd Trf

**21B. BT2004-549 COMMUNITY AND HUMAN DEVELOPMENT**

This transfer sets up the accounts into which the Public Service Board will pay their portion of the Borderland Street Project, a 29<sup>th</sup> year (2002-2003) Community Development Project. The PSB portion covers the 50% that will be paid by the PSB for work done on their infrastructure as a part of this project.

Increase	\$40,838.70	to	71150069/G7128PS000811075/406002	Loc Grt Proc
Increase	\$40,838.70	to	71150069/G7128PS000811075/508027	Const

**21C. BT2004-564 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to transfer appropriations of \$60,000 to fund building improvements for the City Hall basement doors. Funding source is 1994 CO's. **(All Districts)**

Increase	\$60,000	to	31114001/PPWFA0302027047/508003	Bldg Imprvmts
Increase	\$60,000	to	31114001/P50131327042/407002	Est Rev
Increase	\$60,000	to	31114001/PPWFA0302027047/407001	Intfd Trf
Increase	\$60,000	to	31114001/P50131327042/507001	Intfd Trf

**21D. BT2004-569 AIRPORT**

Transfer of funds from Airport Contingency to accommodate reimbursement of lease expenses.

Increase	\$22,000	to	62620011/40101/505409	Settlements
Decrease	\$22,000	from	62620001/40101/504405	Contingency

**21E. BT2004-570 AIRPORT**

Transfer of funds from Airport contingency to cover the cost of water for the rest of the year based on current year-to-date numbers and last year's use.

Increase	\$4,000	to	62620013/40101/504101	Water
Increase	\$1,100	to	62620009/40101/504101	Water
Decrease	\$5,100	from	62620001/40101/504405	Contingency

**22. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**22A.** Cystic Fibrosis Foundation to hold a Great Stride to Cure Cystic Fibrosis 10k-6.2 mile walk on May 15, 2004 from 7:00 a.m. to 12:00 p.m. Route: Start at Ponder Park at 7500 W.H. Burges, north on Juniper to Edgemere Parkway, loop around the parkway back to Juniper and back to Ponder Park, repeat same path to complete the 10k walk. Approximately 75-100 persons will take part. **(District 3)** PERMIT NO. 04-014 [Jeanette Jacoway]



- 22B.** Saint Patrick Cathedral Parish to hold a Good Friday procession on April 9, 2004 from 9:00 a.m. to 12:00 p.m. Route: Start at the corner of Arizona and Stanton St, proceed on Stanton St to Rio Grande, turn left on Rio Grande to Florence, turn right on Florence to Montana, turn left on Montana to Ange St., turn right on Ange St. to Wyoming, turn left on Wyoming to Virginia St., turn right on Virginia, proceed on Virginia to Crosby Ave., turn left on Crosby to Kansas, turn left on Kansas to California, turn right on California to Stanton, back to Kansas, turn right on Kansas to Nevada and finish at St. Patrick's Church parking lot. Approximately 250 persons and 2 vehicles will take part. This request includes permission to use amplification (1 hand-held microphone with portable amplifier/speaker). PERMIT NO. 04-016 **(District 8)** [Sister Maureen Jerkowski]
- 22C.** C C Roca Fuerte Church to hold a walk on April 9, 2004 from 6:45 p.m. to 7:15 p.m. Route: Start at Edgemere Park to Hawkins and finish at 1401 N. Hawkins. Approximately 150 persons will take part. PERMIT NO. 04-017 **(District 5)** [Pastor Alberto Weber]
- 22D.** Catholic Community of Corpus Christi to hold a Good Friday procession on April 9, 2004 from 11:00 a.m. to 1:30 p.m. Route: Start at 9205 North Loop (church), proceed on Cuernavaca to Warwick, right on Warwick to Morelia, left on Morelia to Zacatecas passing across Warwick to Jalapa, left on Morelia to Grennoble, left on Grennoble to Morelia, left on Morelia to Bordeaux, right on Bordeaux to Sorbonne, right on Sorbonne to Cannes, left on Cannes to Sorbonne, left on Sorbonne to Le Barron, left on Le Barron to North Loop and finish at church. Approximately 200 persons and 2 golf carts will take part with no spectators. This request includes permission to use amplification (1 small P.A. system, 1 microphone, and 2 speakers). PERMIT NO. 04-021 **(District 6)** [Mike R. Garcia]

## **REGULAR AGENDA**

### **23. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

- 23A.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII- Restrictions On Parking In Residential Districts), Of The El Paso Municipal Code, To Add Zone H: No Parking Anytime, On Ochoa Street, Seventy Feet South Of The Curb line At Father Rahm Avenue To One Hundred Forty Feet South Of The Curb line At Father Rahm, West Side Only. The Penalty Being As Provided In Section 12.84.010 (Violation-Penalty) Of The El Paso Municipal Code. **(District 8)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 23B.** An Ordinance Amending Title 12 (Vehicles And Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add A New Location On Mills Avenue Between Ochoa Street And Virginia Street, South Side Only. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 8)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 23C.** An Ordinance Amending Title 12 (Vehicles And Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Of The El Paso Municipal Code, To Temporarily Reduce The Existing Speed Limit Of 60 M.P.H. To 45 M.P.H. On Loop 375 Between One Mile South Of Bob Hope Drive To One Mile North Of Montana Road (US 62/180) In Both Directions For The Duration Of The Construction Of The Main Lanes On Loop 375 From Bob Hope Drive To Montana Road. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(Districts 5 and 6)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**PUBLIC HEARING WILL BE HELD ON APRIL 13, 2004 FOR ITEMS 23A – 23C**

- 23D.** An Ordinance granting Special Permit No. ZON03-00066, to allow for a planned residential development on a portion of Tract 7B, Block 35, Ysleta Grant and a portion of Tract 2A, U.S. Parcel No. 10, El Paso, El Paso County, Texas (West of Independence Drive and East of Loop 375) pursuant to Section 20.22.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Tropicana Homes, Inc. / Representative: CEA Engineering Group; 2718 Wyoming Avenue, El Paso, TX 79903. **(District 6)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23E.** An Ordinance granting Special Permit No. ZON04-00008 to allow for a parking reduction on the property described as Lots 1 and 2, Block 31, Franklin Heights, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ardovino's Pizza / Representative: C. F. Associates Inc.; 5640 Montana Avenue, Suite D, El Paso, TX 79925 **(District 8)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23F.** An Ordinance changing the zoning of Lots 1 - 10, Block 13, Hart's Survey No. 9, El Paso, El Paso County, Texas (Northwest corner of Mesa Street and Arizona Avenue) from A-3 (Apartment) to C-1 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Saint Patrick Cathedral / Representative: Mijares-Mora Architects, Inc.; 111 N. Festival Drive, El Paso, TX 79912. ZON04-00029 **(District 8)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 23G.** An Ordinance changing the zoning of Tracts 331 and 332, Sunrise Acres Number One, El Paso, El Paso County, Texas from R-4 (Residential) to R-3A (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Martha E. Peck / Representative: Karma JKS Properties, Inc.; 6236 Quail Avenue, El Paso, TX 79924. ZON04-00035 **(District 2)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 23H.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to change the notice requirements for a zoning change on one acre or more of land. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code. **(All Districts)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 23I.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.04.520 (Administrative Provision; Notice-Method) to change the notice requirements for a zoning change, special use permit, or release of zoning condition on one acre or more of land. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code. **(All Districts)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

**PUBLIC HEARING WILL BE HELD ON APRIL 20, 2004 FOR ITEMS 23D – 23I**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**24. DISCUSSION AND ACTION – MAYOR & COUNCIL:**

- 24A.** Discussion and action concerning the installation of a multi-way (4-way) stop at the intersection of Parral and La Paz.

[Representative Jose Alexandro Lozano, (915) 541-4515]

- 24B.** Discussion and action on amending Section 20.02.565 (Parking Space, Off-Street Accessible) to insert a broad provision that allows for an access aisle to be...."marked with diagonal stripes and any other markings as determined necessary by the Director of Building Permits and Inspections or the Texas Department of Licensing and Regulation, Architectural Barriers Division". Enforcement of this provision would be applicable in all existing and new parking lots, public and private, from the date of adoption pursuant to Title 12 Vehicles and Traffic, Chapter 12.44 Stopping, Standing and Parking Generally, Section 12.44.180 Regulation Pertaining to Certain Special Situations, and Section 12.44.200 Handicap Parking on Private Property, and Title 20, Zoning, Chapter 20.64 Off Street Parking and Loading Requirements, Section 20.64.060 Directions to Parking Spaces- Locations of Parking Spaces-Location and Direction of Movements Along Driveways, and Section 20.64.100 Maintenance of the El Paso Municipal Code. Violations of any markings instituted pursuant to this amendment will be enforced and will result in citations being issued pursuant to the Texas Transportation Code, Title 7 Vehicles and Traffic Subtitle H Parking, Towing, and Storage of Vehicles, Chapter 681 Privileged Parking, Section 681.010 Enforcement and Section 681.0101 Enforcement by Certain Appointed Persons. [Representative Jose Alexandro Lozano, (915) 541-4515]

**25. DISCUSSION AND ACTION – BUILDING AND PLANNING SERVICES:**

A Resolution declaring the intention of the City of El Paso, pursuant to Internal Revenue Code Regulation Section 1.150-2(e), to finance certain expenditures to be incurred for Year 2004 Capital Improvements from the proceeds of the sale of City Tax-Exempt Obligations totaling \$4,950,000 (New Clint Cells). **(Citywide)**

[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

**26. DISCUSSION AND ACTION – ENGINEERING DEPARTMENT:**

Discussion and action on approval of Conditional “B” building permits for Tierra Del Este Unit Fourteen Subdivision. **(District 5)**

[Engineering Department, Bashar Abugalyon, (915) 541-4157]

**27. DISCUSSION AND ACTION – PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT:**

**27A.** Resolution that the Mayor and City Council hereby authorizes the Planning, Research and Development Department Director to sign and submit a City-initiated street dedication application for portion of Redd Road Drive that will provide access to a City park known as Valley Creek Park. **(District 1)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

**27B.** Resolution that the Mayor be authorized to sign, on behalf of the City of El Paso because of its interest in Ethel Road, preliminary and final plat applications for lands contained within the Sunset View Unit 3 Subdivision as same may be amended or divided, any such amendment or division containing all or part of the portion of Ethel Road now included in the Sunset View Unit 3 preliminary application as more fully described by survey and metes and bounds. **(District 1)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

**28. DISCUSSION AND ACTION – PURCHASING DEPARTMENT:**

Resolution that the City of El Paso hereby awards Contract Bid Number 2004-015 Plaza Theatre Restoration and Expansion to Byrne/Arrow, A Joint Venture, in the amount of \$24,889,898.00, as this offeror provides the Best Value to the City of El Paso based on the published criteria and on its ranking evaluation; and

That the Mayor be authorized to sign the contract referenced above as approved by the City Engineer, Contract Compliance, ECM International Project Manager, and the City Attorney; and

That the Mayor be authorized to execute budget transfers for this award and project as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 10% of the original contract price as awarded, without further authorization by City Council. [Purchasing Department, Jay Henson, (915) 541-4907]

**29. DISCUSSION AND ACTION – TAX OFFICE:**

Discussion and action on a request by Ray Mancera, representing David Bingham, on granting of a utility easement on property located at 3500 Pera that has been “struck off” to the City of El Paso. [Tax Office, Juan Sandoval, (915) 541-4369]

**30. PUBLIC HEARING – MAYOR & COUNCIL:**

An Ordinance creating Tax Increment Financing District Number Four (No. 4), City of El Paso (50 acre site on the Southeast corner of Viscount and Hawkins Blvd.); making Findings Of Fact concerning the conditions of blight, residential property and assessed valuation within said District; creating a Tax Increment District Board of Directors and defining the powers, duties and terms of office thereof; providing for submission of a plan of improvements for said District; providing for duties of the Tax Assessor; setting the boundaries for said District; and providing a Severability Clause. **(District 3)** [Mayor’s Office, Adrian Ocegueda, (915) 541-4145]

**31. PUBLIC HEARING – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:**

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) of the El Paso Municipal Code, by adding a location on Bob Hope Drive. **(District 6)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**32. PUBLIC HEARING – EL PASO WATER UTILITIES PUBLIC SERVICE BOARD:**

An Ordinance authorizing the Mayor to sign for the City on behalf of the El Paso Water Utilities Public Service Board, a Special Warranty Deed with Easement conveying to the El Paso Humane Society, Inc., a 4-acre tract of land under the jurisdiction of the El Paso Water Utilities Public Service Board, being a portion of Section 17, Block 81, Township 2, Texas and Pacific Railway Company Surveys located on Fred Wilson Road near JEB Stuart Road, El Paso, El Paso County, Texas. **(Districts 4 and 6)** [El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]

**33. PUBLIC HEARING – MUNICIPAL SERVICES DEPARTMENT:**

An Ordinance amending Ordinance No. 7913, which authorized the City of El Paso to enter into a lease agreement with El Paso Rehabilitation Center, for the purpose of amending the terms of the lease agreement. **(District 1)** [Municipal Services, Gonzalo Cedillos, (915) 541-4202]

**34. PUBLIC HEARING – PARKS AND RECREATION DEPARTMENT:**

An Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) of the El Paso Municipal Code to authorize the Director of the City Parks and Recreation Department to sign Agreements providing for rental of City Parks and Recreation Areas. [Parks & Recreation Department, William R. Torgerson, (915) 541-4331]

**35. PUBLIC HEARINGS – PLANNING RESEARCH AND DEVELOPMENT DEPARTMENT:**

- 35A.** An Ordinance changing the zoning of Lots 9 - 11, Block 109, Morningside Heights, El Paso, El Paso County, Texas (3927 Truman Avenue) from A-2 (Apartment) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Akram Jahangiri / Representative: Del Rio Engineering, Inc.; 491 N. Resler Drive Suite F, El Paso, TX 79912. ZON03-00081 **(District 2)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 35B.** An Ordinance changing the zoning of Tract 6A, Block 1, Ysleta Grant and Tract 17B, Block 5, Ysleta Grant, El Paso, El Paso County, Texas (North Loop Drive Southeast of Bordeaux Drive) from R-F (ranch and farm) to C-2 (commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Martha Wilson / Representative: David Karns; 6006 N. Mesa Street #201, El Paso, TX 79912. ZON04-00018 **(District 6)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 35C.** Resolution approving Detailed Site Development Plan No. ZON04-00020, for Portion of Lot 1, Block 5, Mesa Hills Plaza, El Paso, El Paso County, Texas (5450 Hurd Place), pursuant to a contract condition. The penalty being as provided in section 20.68.010 of the El Paso Municipal Code. Zoning: C-4/sc (Commercial/Special Contract). Applicant: Bryan Duncan / Representative: Roe Engineering L.C., 601 Cotton, Suite 6, El Paso, TX 79902 **(District 8)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 35D.** Resolution approving Detailed Site Development Plan No. ZON04-00021, for Lot 2, Block 4, West Ten Development, El Paso, El Paso County, Texas (7510 Remcon Circle), pursuant to a contract condition. The penalty being as provided in section 20.68.010 of the El Paso Municipal Code. Zoning: C-3/sc (Commercial/Special Contract). Applicant: Bob Jones / Representative: Roe Engineering L.C., 601 Cotton, Suite 6, El Paso, TX 79902 **(District 1)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

**36. PUBLIC HEARINGS – BUILDING PERMITS & INSPECTIONS:**

- 36A.** Public hearing to determine if the property located at 3303 Frutas Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Margarita Alvarez, 3544 East Glen Drive, #B, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$6,160.16. **(District 8)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 36B.** Public hearing to determine if the property located at 10217 Shipley Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 1<sup>st</sup>, 2003. The owner of this property, Luvania L. Nunez, 10000 Honolulu Drive, El Paso, Texas 79925, has been notified of the violations at this property. Delinquent taxes in the amount of \$3,705.28. **(District 3)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 36C.** Public hearing to determine if the property located at 100 Anita Circle, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 17<sup>th</sup>, 2003. The owner of this property, Vincenta Calderon, 100 Anita Circle, El Paso, Texas 79905, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**  
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 36D.** Public hearing to determine if the property located at 4007 Tyler Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated January 5, 2004. The owner of this property, Carmen Mendoza, C/O I. H. S. of El Paso, 2301 N. Oregon Street, El Paso, Texas 79902, has been notified of the violations at this property. Delinquent taxes in the amount of \$5,743.89. **(District 2)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 37.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)
- Section 551.071 CONSULTATION WITH ATTORNEY  
 Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
 Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
 Section 551.074 PERSONNEL MATTERS  
 Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
 Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
- Discussion and action on the following:
- 37A.** Jesus Luna, 03-C-123. (551.071)  
[City Attorney's Office, John Gates, (915) 541-4550]
- 37B.** Petition of El Paso Electric Company to Reconcile Fuel Costs; PUC Docket 26194; SOAH Docket No. 473-03-0278. (551.071)  
[City Attorney's Office, Kevin Elkins, (915) 541-4550]
- 37C.** Socorro Gomez, et al vs. The City of El Paso, et al, Cause No. EP-03-CA-0273, Our File No. 03-S-29. (551.071)  
[City Attorney's Office, Michael P. Moffeit, (915) 541-4550]
- 37D.** Otilia Hart, 03-C-264. (551.071)  
[City Attorney's Office, Michael P. Moffeit, (915) 541-4550]
- 37E.** Bashar Abugalyon v. City of El Paso, Cause No. EP-03-CV-515. (551.071)  
[City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

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